

DELBELLO DONNELLAN WEINGARTEN
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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

FINGER LAKES CAPITAL PARTNERS, LLC

Chapter 11

Case No. 16-11221 (RDD)

Debtor.

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**SUPPLEMENTAL AFFIDAVIT OF STUART KAGEN, ESQ. IN SUPPORT OF
APPLICATION AUTHORIZING EMPLOYMENT AND RETENTION OF
KAGEN & CASPERSEN AS SPECIAL LITIGATION AND APPELLATE
COUNSEL NUNC PRO TUNC TO THE PETITION DATE**

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Stuart Kagen, an attorney duly admitted to practice law in the Courts of the State of New York, states the following to be true under the penalties of perjury:

1. I am a member of Kagen & Caspersen ("K&C"), which maintains an office at 900 Third Avenue, 17th Floor, New York, New York, 10022.

2. I submit this supplemental affidavit in further support of the application ("Application") of the debtor (the "Debtor") to retain K&C as Special Litigation and Appellate Counsel to the Debtor.

3. During the ninety days before the Petition Date, October 30, 2015 through January 28, 2016, C&S did not receive any payments from the Debtor or from any other party on

behalf of the Debtor, except that, as disclosed in my prior Affidavit in support of the Application, K&S received \$25,000 during the ninety days before the Petition Date from the Debtor as a minimum fixed fee in connection with the retainer arrangement described in detail in the Application and my prior Affidavit in support thereof.

4. I know of no reason why K&C cannot act as special litigation and appellate counsel to the Debtor, and respectfully request that K&C be so appointed.

/s/ Stuart Kagen

Stuart Kagen

Sworn to before me this
20th day of April, 2016

/s/ Glessie M. Agrinzoni

Notary Public